

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.1:05CR346-002
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
v.)	
)	
DARYL BOGGS,)	
)	
Defendant.)	<u>ORDER</u>

On November 17, 2005, Defendant entered a plea of guilty to Count 1 of an Indictment charging a violation of 21 U.S.C. § 846 and 841(a)(1) - Conspiracy to Possess With Intent to Distribute Cocaine. On December 21, 2005, Defendant was sentenced to the Bureau of Prisons for a term of 30 months followed by 3 years Supervised Release. Upon motion of the Government, Count 12 of the Indictment was dismissed.

On June 24, 2008, the Court received a Violation Report from Probation Officer Debbie White. The Violation Report listed the nature of each non-compliance: **(1) Law Violation and Police Contact** - The offender was convicted of Resisting Arrest in Niles Municipal Court on June 10, 2008 under Docket No. 08CRB525A. He was sentenced to 90 days jail; 60 days suspended; \$150.00 fine and court costs. The arrest date was June 7, 2008. In addition, Howland Police responded to the Boggs' residence on June

18, 2008 after the offender attempted suicide by stabbing himself in the chest. Police used a Taser to bring the offender into compliance so treatment could be administered to him; **(2) Alcohol Use** - Mr. Boggs signed an Acknowledgment Form on June 12, 2008 admitting alcohol use prior to the arrest on June 6, 2008. He was also drunk at the time of the suicide attempt on June 18, 2008.

Defendant , represented by counsel, appeared before this Court for a Revocation of Supervised Release hearing. Debbie White, Probation Officer, gave an overview of the violations listed in the Violation Report.

Counsel for Defendant stated the Defendant admits to the violations.

The Government had no objection to any recommendation by Probation Officer White. Therefore,

The Court orders Defendant remanded to the custody of the Bureau of Prisons for Psychiatric Evaluation according to 18 U.S.C. 4244(b).

FURTHER ORDERED that the Court holds in abeyance the disposition of the violation hearing until after completion of the report on Defendant's mental condition and hearing.

IT IS SO ORDERED.

s/Christopher A. Boyko
Christopher A. Boyko
U.S. District Court Judge

July 2, 2008